

Minutes of the Veneta City Council

September 28, 2009

Present: Mayor Sharon Hobart-Hardin, T. J. Brooker, Darrell Carman, and Sandra Larson

Absent: Marion Esty

Others: Ric Ingham, City Administrator; Jerri Moore, Finance Director; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Sgt. Clifford Harrold, LCSO, and Ephraim Payne, West Lane News

1. PUBLIC COMMENT

Vicki Sourdry, 87055 Territorial Rd., Veneta, OR

Ms. Sourdry said Applegate Repertory Theater (ART, Inc.) is working on the renovations at the Broadway Event Center (BEC). The roof should be replaced by the end of September. Lane Community College donated 100 theater seats and strand board was donated to finish the stage. ART, Inc is hopeful the Ford Family Foundation will assist with the design, purchase and installation of the curtain system and website. The Moose Lodge and ART, Inc. are now called the BEC Board. Ms. Sourdry on behalf of ART, Inc. asked the City Council to donate the aged wood in the Attic building to them (east of Tru Value Hardware).

The book sales are continuing on Saturdays from 11:00 a.m. to 3:00 p.m. A bottle drive will be held on October 3 and 4. Refundable bottles and cans can be dropped off at the BEC. A garage sale is scheduled for October 9 and donations can also be left at the BEC. October 2, is poetry night. Emmy winning story teller, Mark Lewis will emcee "A Most Excellent Storytelling Festival" on October 16 and 17. Various 45 minute workshops will be held (acting, story telling, and mask making) with family story telling after dinner. Dinner will be catered by a local chef. Admission is by donation. Suggested donations for individuals are \$5 per event or \$20 for the weekend; for families \$10 per event or \$40 for the weekend. A play will be put on in November and in December there will be two short holiday plays.

David Shreve, Governor of Veneta Moose Lodge No. 2656

Mr. Shreve said the Moose Lodge is in process of acquiring the BEC property. There are many interior projects to be done in the building. The building will consist of a community room, a youth group theater, and the Moose Lodge will be at the rear of the building. Their fundraising events will start soon. A Halloween haunted house will be held in the evenings of October 23, 24, 30 and 31st. A minimal admission will be charged. There will also be Thanksgiving and Christmas programs. ART, Inc and Moose Lodge 2366 are completely non profit agencies. The Moose Lodges are usually community based agencies that assist with communities; specifically youth. Volunteers are always welcome.

2. CONSENT AGENDA

**MOTION: T. J. Brooker made a motion to approve the consent agenda as presented.
Sandra Larson seconded the motion.**

Vote: Darrell Carman, aye; Mayor Hobart-Hardin, aye; Sandra Larson, aye; and T. J. Brooker, aye.

The consent agenda as approved included Minutes for September 14, 2009, Bills paid and payable for September, 2009 and the Civic Calendar for September, 2009.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

(1) Law Enforcement Activities Report

Sgt., Harrold presented his activity report from August 1 to September 15, 2009. He said

crime has decreased in the Veneta area and local schools started without any problems. Deputies Rogers and Denham work the graveyard shift and reported since mid-summer they have not received any calls from outlying areas on stolen cars that are abandoned in the Veneta area. Deputy Toman is tentatively planning on accepting the South Lane patrol position with the Lane County Sheriff's Office. He has been in Veneta for several months and has done an outstanding job in Veneta and we're sorry to see him leave. The final decision will be made October 2, 2009 for his replacement. Deputy Toman will continue to work until his replacement is assigned.

In response to a question from Darrell Carman, Sgt. Harrold said the funding made available for the additional beds at the Lane County Jail has contributed to the decrease in crime in our area.

- (2) Oregon Day of Culture Proclamation
October 8, 2009 is recognized as National Oregon Day of Culture.
Mayor Hobart-Hardin proclaimed October 8, 2009 to be the Oregon Day of Culture.

MOTION: T. J. Brooker made a motion to accept the Proclamation for the Oregon Day of Culture. Darrell Carman seconded the motion which passed with a vote of 4-0.

- (3) Archive Proclamation
Mayor Hobart-Hardin said City staff works very hard to archive City documents and records, as well as historical records. Mayor Hobart-Hardin proclaimed October to be Archives Month.

MOTION: Darrell Carman made a motion to accept the Proclamation for Archives Month. Sandra Larson seconded the motion which passed with a vote of 4-0.

b. COUNCIL/COMMITTEE LIAISONS

Sandra Larson said an unofficial pool committee has formed to assist the Pool Committee in fundraising efforts. She said this committee will be meeting Tuesday, September 29, 2009.

Mayor Hobart Hardin said she and Ric attended a very informative meeting with the Oregon Transportation Commission. She said the Highway 126 project was a topic of discussion and may be an upcoming project. Ric and Mayor Hobart-Hardin also met with the Executive Director of Economic Development and will continue discussions on Veneta's economic development.

Darrell Carman said he will not be attending the West Lane Cities Alliance dinner meeting in Junction City on September 29, 2009. Mayor Hobart-Hardin, Ric and Sandra Larson will be attending.

Darrell Carman attended the LCOG planning meeting on September 24, 2009. An executive committee was formed and asked to compile comments received from all jurisdictions. He said the majority of the comments focused on public safety, communication, government, infrastructure, and economic development. He said they then broke up into four groups and came up with five ideas to address the comments received. They submitted their ideas and will review them at the next LCOG meeting.

In response to a question from Mayor Hobart-Hardin, Darrell Carman said public safety was an issue raised by every group. He said the meeting was very productive and worthwhile.

T. J. Brooker attended the library foundation retreat where they established new goals. One idea was to have website links of all the local government agencies (Fern Ridge School District, Lane County Fire District No. 1, Library and City of Veneta) on each agency's website. Another suggestion was for local government agencies to pool their funds for website updates.

4. STAFF REPORTS

- a. FINANCE DIRECTOR.....JERRI MOORE
(1) Financial Report for Bolton Hill Road Assessments

Jerri provided a status report on the Bolton Hill Road Wastewater Improvement LID. Six property owners, including the City, paid their assessments in full; and one owner made a \$5,000 payment on their one year installment agreement. These payments totaled \$75,792. One owner qualified for the State of Oregon Senior Deferral program and the remaining 15 owners chose a combination of installment agreements and deferrals for their improvement costs. Several property owners committed to paying their assessments in full within the first year with no interest charged. Staff recommended applying \$75,000 of the available monies on the City's loan. Prepayments are allowed without penalty.

In response to a question from Darrell Carman, Jerri said the deferral program is a revenue source for the City. The owners are deferring their debt but the deferral program revenue allows the City to pay its debt. There is no other relationship between the deferral resources and the City's loan.

In response to questions from Darrell Carman, Ric said the City funded the deferral program with \$140,000 of interest earned on Wastewater SDCs. Owners only requested \$48,000 in deferrals. The remaining \$90,000 will stay in the SDC Interest Account and can be rolled over to make it eligible for the second improvement district. Staff is requesting direction from the Council whether or not to increase the loan payment in order to pay down the City's loan as soon as possible.

In response to a question from T. J. Brooker, Jerri said when the deferral program was created the Council agreed the deferral payments collected would stay in the Local Improvement Fund to create a revolving deferral program. The Council could chose to return the money to the Capital Construction Fund but the Municipal Code would have to be amended.

It was the consensus of the Council to direct staff to increase the first semi-annual payment on the City's loan for the Bolton Hill Wastewater Improvement to \$75,000.

- b. CITY RECORDER.....SHERYL HACKETT
(1) **Resolution 1013 - A RESOLUTION ESTABLISHING DOG LICENSING AND OTHER ANIMAL CONTROL FEES AND FINES FOR THE CITY OF VENETA; AND REPEALING RESOLUTION 983**

On June 30, 2009 Chapter 659 Oregon Laws 2009 (HB 2287) was signed. House Bill 2287 increased the base fines and imposes a new mandatory \$45 surcharge on all fines for violations committed on or after October 1, 2009. The bill also directs that the surcharges collected by a Municipal Court be paid to the appropriate City treasurer. Base fines or bails for Veneta's Animal Control Ordinance are set by resolution. Staff is recommending the Council repeal Resolution 983 and adopt Resolution 1013 which references Chapter 659 Oregon Laws 2009 and includes a new section that imposes the \$45 surcharge. The Veneta Municipal Court Judge and Lane County have adopted new bail schedules effective October 1, 2009 for all other violations.

In response to a question from Darrell Carman, Ric said cities are required to collect the surcharge and HB 2287 allows municipalities to keep more of what they collect in order to offset the rising court costs.

MOTION: Sandra Larson made a motion to adopt Resolution 1013 Repealing Resolution 983. T. J. Brooker seconded the motion which passed with a vote of 4-0.

- (2) **Ordinance 490 – AN ORDINANCE TO TEMPORARILY DEFER COLLECTION OF SYSTEM DEVELOPMENT CHARGES PURSUANT TO ORDINANCE 452.**
First reading by title only.

At the previous Council meeting Staff presented a request for the Council to consider adopting an ordinance that would grant developers an opportunity to temporarily defer payment of System Development Charges (SDCs) as an incentive for development during these slow economic times. After discussing the issue, it was the consensus of the Council to adopt a temporary deferral policy and directed staff to draft an ordinance to be presented at tonight's Council meeting.

Ordinance 490 will allow deferral of SDCS for building permits issued from the date the ordinance becomes effective through December 31, 2010. The ordinance includes the Deferral Agreement which the developer would sign and limits the number of outstanding deferrals a developer may have at one time. The SDCs would be due upon transfer of ownership, issuance of a Certificate of Occupancy or March 31, 2011, whichever is first. If Ordinance 490 is approved for first reading, it will be presented for second reading at the October 12, 2009 Council meeting, become effective 30 days from that date and stay in effect until December 31, 2010. Ordinance 490 was reviewed by Carrie Connolly, City Attorney, who strongly recommended including a provision for a recorded lien against the property for the deferred amount.

Staff recommended the Council approve Ordinance 490 for first reading by title only.

In response to a question from Darrell Carman, Sheryl said the developer would not request the Certificate of Occupancy (C of O) until they have the property sold.

In response to a question from Mayor Hobart-Hardin, Sheryl said she would get clarification from Carrie Connolly regarding interest accruing from the time of the C of O to the time the SDCs were paid.

Darrell Carman and Mayor Hobart-Hardin read the intent of the Ordinance was to withhold the C of O until the SDCs are paid.

Sheryl said if the developer does not comply with the Agreement and somehow the C of O is issued, the City has the authority to disconnect the water meter and charge interest.

After discussing the need for clarification, it was the consensus of the Council to approve the first reading of Ordinance 490 by title only provided Sheryl would get clarification from legal counsel on Section 3.g. of the SDC Deferral Agreement to read "interest will accrue from the time of occupancy to the time of payment" and not "from the date of the C of O to the time of payment". Staff would then make the necessary changes to Ordinance 490 for the second reading and final enactment at the October 12, 2009 City Council meeting.

In response to a question from Darrell Carman, Ric said Hayden Homes may not take advantage of the SDC deferral because more than likely they have the reserves to pay

the SDCs upfront. The program is geared to assist small developers. Legal counsel suggested placing a lien on the property to allow the City to collect the unpaid SDCs if the developer is not able to. Without the lien the SDCs may not be paid. Originally staff suggested any one developer can have no more than six deferrals at one time. The Council indicated four deferrals at any one time should be sufficient.

MOTION: Darrell Carman made a motion to approve Ordinance 490 as amended for the first reading by title only. Sandra Larson seconded the motion which passed with a vote of 4-0.

Ordinance 490 was read into the record for first reading by title only.

- c. CITY ADMINISTRATOR.....RIC INGHAM
- (1) Request Waiver of Community Center Fee to extend Veneta Farmer's Market Operations

Marie Bailey, the Manager of the Veneta Farmers' Market requested the rental fee be waived for the use of the community center in order to extend the Farmers' Market through October and November 20 and 21. The Farmers' Market was very successful this summer with many vendors wanting to continue with a fall indoor market. There is a potential conflict with the Gleaners using the Community Center. Ms. Bailey suggested any left over produce could be donated to the Gleaners for the food pantry.

In response to a question from Darrell Carman, Ric said the Broadway Events Center was a possible location for the indoor Market but there's too much going on there (with the renovations and their fundraising efforts it) to also conduct a Farmers' Market. Eventually, that would be an ideal location for the fall Farmers' Market.

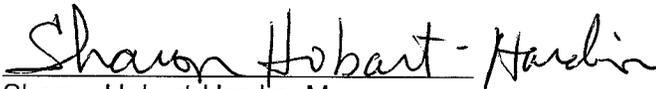
MOTION: T. J. Brooker made a motion to waive the Community Center rental fee in order to extend the Veneta Farmers' Market indoors. Darrell Carman seconded the motion for a vote of 4-0.

6. OTHER

T. J. Brooker will not be attending the West Lane Cities Alliance dinner meeting in Junction City on September 29, 2009.

7. ADJOURN

Mayor Hobart-Hardin adjourned the City Council at 7:55 p.m.


Sharon Hobart-Hardin, Mayor

ATTEST:


Darci Henneman, Assistant City Recorder
(minutes prepared by DHenneman)